RULES UNDER ACT II OF 1918

CINEMATOGRAPH

THE CINEMATOGRAPH RULES, 1921

Notn. No. 5743, H. D., 13th June 1921, B. G., 1921, Pt. I, p. 1499.

In supersession of Government Notification No. 6978, dated the 26th July 1920, the Governor in Council is pleased in exercise of the powers conferred by section 8, sub-section (2) of the Cinematograph Act, II of 1918, as amended by Act XXIII of 1919, and in pursuance of the authority granted by the Governor General in Council in this behalf in Home Department letter No. 153, dated the 31st January 1920, to make the following rules to carry out the purposes and objects laid down in sub-sections (*b*) and (*bb*) of the said section of the said Act :—

Rules

under sub-sections (*b*) and (*bb*) of section 8 of the Cinematograph Act, 1918 (II of 1918), as amended by Act XXIII of 1919, provided for—

(1) the procedure of the Bombay Board of Censors constituted for examining and certifying films as suitable for public exhibition ; and all matters ancillary thereto ;

(2) the fees to be levied by those authorities ;

(3) the appointment of officers subordinate to such authorities ; and

(4) the regulation of the powers and duties of the officers so appointed.

Preliminary.

1. These rules may be called "The Cinematograph Rules, 1921".

Definitions.

2. In these rules :—

(*a*) "Act" means the Cinematograph Act, 1918 (II of 1918), as amended by the Cinematograph (Amendment) Act, 1919 (XXIII of 1919) ;

(*b*) "Board" means the Bombay Board of Censors constituted under sub-section 1 of section 7 of the Act ;

(*c*) "President" means the President of the Board, or in his absence, the Chairman elected under rule 6 ;

(*d*) "Secretary" means the Secretary to the Board.

Meetings of the Board.

3. The Board shall ordinarily meet twice a month for the transaction of business, but may meet oftener if the exigencies of its business so demand. All meetings shall be convened by the President of the Board, who shall call an extraordinary meeting if requested to do so by at least two members of the Board.

4. (1) The Secretary shall give at least three days' notice of all meetings to each member ; but an urgent meeting may be called by the President at one day's clear notice.

(2) The said notice shall state the business to be transacted at the meeting, and no business other than that so stated shall be transacted, except with the consent of the majority of the members present, provided that, if three members only are present, all are agreed.

(3) Any urgent matter may, if the President thinks fit, be circulated at any time to the members for their opinion.

5. At every meeting of the Board, three members shall form a quorum.

Conduct of proceedings at meetings.

6. Every meeting shall be presided over by the President of the Board or, in his absence, by a Chairman elected at the meeting.

7. In the case of an equality of votes, the President shall have a second or casting vote.

Procedure at meetings.

8. It shall be the duty of the Board at each meeting—

(1) to consider the business stated in the notice of the meeting, and any other business under the Act that the members present may agree to consider in accordance with clause (2) of rule 4;

(2) to examine the reports of the Secretary and Inspectors, and pass such orders thereon as may seem to them to be necessary;

(3) to hear any representations from the importers or their authorized agents or from members of the public in respect of the Board's decisions, or to examine any representation relating to a film already certified as suitable for public exhibition;

(4) to keep a record of their proceedings in such forms as may seem advisable.

Other duties of the Board.

9. The Board shall—

(*a*) submit an annual report to the Local Government, reviewing the work done by the Board during the past calendar year;

(*b*) prescribe the manner in which the registers and accounts of the Board shall be kept.

10. The Board shall have the power to appoint the Inspectors, clerks and other officers and menials, and shall also have the power to suspend, remove or grant leave to such officers and servants.

Remuneration of members of the Board.

11. Each member of the Board shall be paid a fee of Rs. 16 for each meeting of the Board at which he attends. Every member of the Board deputed to examine or re-examine a film shall be paid a fee at the rate of Rs. 2 per thousand feet or fraction of a thousand feet of film examined, subject to a minimum fee of Rs. 10 and a maximum of Rs. 20 for each occasion.

Certification of films and procedure thereon.

[illegible] who desires to have a film certified for public

(*a*) [illegible]—

(*b*) the name of the film;

(*c*) the number of copies imported or manufactured by the applicant;

(*d*) the name of the person or company by whom the film is produced;

(*e*) the name of the country in which originally produced;

(*f*) a statement whether the film has or has not been examined previously by any authority in British India constituted under section 7 of the Act, and whether upon such examination the film was or was not certified by the said authority as suitable for public exhibition;

(*g*) the place licensed under the Act, where the applicant desires to produce and exhibit the film at his own cost before the Board's Secretary or Inspectors for examination;

(*h*) the dates and times most suitable to the applicant for such examination.

(3) Every such application shall be accompanied :—

(*a*) by an examination fee reckoned at the rate of Rs. 5 for every thousand feet or fraction of a thousand feet of film to be examined;

(*b*) by three typed or printed copies of the synopsis.

13. On receipt of such application the Secretary shall himself examine or depute an Inspector to examine the film within a period prescribed by the Board from time to time, and shall report for the information of the Board the nature of the film and whether, in their opinion, it is suitable for public exhibition or not.

14. The report shall be placed before the Board, who shall decide whether the film is to be certified for public exhibition or not, it being open to the members of the Board to ask that the film be examined by a committee before the Board gives its final decision.

15. In the event of the Board deciding that the film can only be certified after certain specified parts have been removed therefrom, the parts removed from the film, or from all copies of the film in the applicant's possession and intended for exhibition in British India, shall be handed over to the Board's office, to be kept one year and afterwards destroyed. The film shall thereupon be certified as suitable for public exhibition, the certificate issued being endorsed with a description of the parts required to be omitted and with a statement of the exact length or lengths cut out.

A clearly visible triangle shall be drawn in the left hand bottom corner of every certificate bearing such an endorsement.

16. In the event of the report being unfavourable, or in the event of the Board being doubtful as to the suitability or otherwise of a film for public exhibition, the Board shall appoint a committee consisting of not less than two of its members to examine the film and to submit a report for consideration at the next meeting of the Board. Similarly a committee may be appointed to examine a film already certificated regarding which a representation has been received from any member of the public or from the person who applied for its examination and certification

or, when the certificate has been given by another Board, regarding which a report has been submitted by the Inspector or the Secretary.

17. No fee shall be charged for the examination of a film certified by another Board constituted under the Act.

18. When a film has been notified as uncertified either under section 7 (*6*) or under section 7 (*7*) of the Act, it is open to the owner of the film to apply anew for certification after excising the objectionable parts or fulfilling such conditions as the Board or the Local Government may require.

In all such cases the usual examination fee shall be charged.

19. On receipt of the report of the committee the Board shall decide as to the suitability or otherwise of the film for public exhibition.

20. If the Board is of opinion that a film is not suitable for public exhibition, the Secretary shall, within a period of three working days, inform the person applying for the certificate of the decision of the Board.

21. All certificates granted by the Board shall bear the signature of the President, and the Secretary shall see that such certificates are duly issued and that all instructions of the Board with regard to them are duly carried out. The prescribed mark of the Board shall be a film copy of this certificate, *i.e.*, a trailer certificate which shall not be less than fifteen feet long and shall be affixed to the film certified and always exhibited with it.

If a serial consisting of several episodes be passed without any objection, one certificate shall serve for the whole serial and need only be exhibited at the beginning of the first episode; but if in the whole serial a single scene or title is ordered to be removed, each episode shall be certified separately, and every certificate shall bear the triangle and the endorsement.

22. In exceptional and urgent cases, provisional certificates may be granted by the President on his own authority or by a member of the Board authorized for this purpose by the President, subject to confirmation by the Board at the first meeting following the date on which such certificate was granted.

When such provisional certificate is granted an additional fee of Rs. 5 per thousand feet or fraction of a thousand feet, subject to a maximum of Rs. 25, shall ordinarily be levied.

23. If a film be found after examination to be unobjectionable, a certificate will be issued under section 7 of the Act, in accordance with the procedure laid down in these rules.

No separate fee shall be charged for the certificate, but for duplicate [illegible] each shall be charged.

[illegible] in which hall be enter-

(*a*) the [illegible]
film examined under the Act;

(*b*) the name of the person applying for the certificate;

(*c*) the name of the person or company producing or releasing the film;

(*d*) the name of the country in which the film was originally produced;

(*e*) the date of examination;

(*f*) the order of the Board on the report of such examination;

(*g*) the number and date of certificate issued, if any, together with a copy of any endorsement made on such certificate.

(2) Copies of the entries in such register shall be periodically published in the Local *Government Gazette* and sent monthly to all other authorities constituted under the Act for the examination and certification of films in British India.

25. Any member of the Board and the Secretary shall have power to enter any place licensed under the Act for the purpose of seeing whether the provisions of those rules are being carried out.

Appointment and duties of Inspectors.

26. Inspectors shall be appointed under the Board to assist the Secretary for the purposes of the examination of films and any other matters connected with the administration of the Act.

27. The Inspectors shall be directly subordinate to the Secretary of the Board and shall carry out all duties imposed upon them by him in accordance with the provisions of the Act and the rules thereunder.

28. The Inspectors shall have power to enter any place licensed under the Act for the purpose of seeing whether the provisions of the Act and the rules thereunder are duly carried out.

The Inspectors shall bring to the notice of the Secretary any contravention of the Act or the rules thereunder or of the conditions and restrictions subject to which any certificate has been granted under the Act, and the Secretary shall bring them to the notice of the Board.

29. The Inspectors shall examine any film at the place and time appointed by the Secretary for this purpose. They shall forthwith submit a report to the Secretary, for the orders of the Board, detailing the nature of the film and stating whether, in their opinion, it is suitable for public exhibition or not.

30. The Secretary and Inspectors shall periodically visit all places licensed under the Act in Bombay during the time of the public exhibition of films.

RULES FOR THE REGULATION OF CINEMATOGRAPH EXHIBITIONS

Notn. No. 6141, H. D., 24th June 1921, B. G., 1921, Pt. I, p. 1600, as amended by Notn. No. 10693, H. D., 2nd Nov. 1921.

In exercise of the powers conferred by clause (*a*) of sub-section (2) of section 8 of the Cinematograph Act, 1918 (II of 1918), the Governor in Council is pleased to make the following rules for the regulation of cinematograph exhibitions for securing the public safety, namely :—

(1) No license under this Act shall be granted unless the place to be used for cinematograph exhibitions shall have been previously

licensed under rule 259 of the rules for the licensing, controlling, keeping and / rule 2 of the rules for licensing and controlling regulation of places of public amusement in the City of Bombay made by the / theatres and other places of public amusement, made by the District Commissioner of Police, Bombay, under sub-section (1) of section 22 of the Magistrate under section 39-A of the Bombay District Police Act, 1890 City of Bombay Police Act, 1902 (Bom. IV of 1902), / (Bom. IV of 1890) as a place of public amusement.

(2) On the cancellation or determination for any other reason of the former license, the latter license shall similarly be deemed to have been cancelled or to have determined.

(3) A license granted under rule (1) shall be in the form of schedule A appended to these rules.

SCHEDULE A.

License for Places.

(*See rule 1.*)

Under the powers vested in the

* Commissioner of Police, Bombay. / A Board of Censors. / The District Magistrate.

by section 4 of the Cinematograph Act, 1918 (II of 1918), and subject to the conditions and restrictions laid down in the rules for licensing and controlling places of public amusement in the City of Bombay / District, made with the previous sanction of the Governor in Council, by the Commissioner of Police / District Magistrate, license is hereby granted to

authorising him to use the place known as

and situate at

in

and assessed under Municipal No.

for cinematograph exhibitions from this date until 192 ,

subject nevertheless to the following further condition :—

The licensee shall not exhibit or permit to be exhibited in the said place any film other than a film which has been certified as suitable for public exhibition by a *Board of Censors* constituted under section 7 of the said Act, and which, when exhibited, displays the prescribed mark of the said *Board*, and has not been altered or tampered with in any way since such mark was affixed thereto.

Office of the Licensing Authority.

Licensing Authority.